CITY OF HOUGHTON
PROPOSED
ORDINANCE 2023-330

AN ORDINANCE TO AMEND CHAPTER 10 OF THE CODE OF ORDINANCES,
CITY OF HOUGHTON

THE CITY OF HOUGHTON ORDAINS:

1. That Chapter 10 of the Houghton City Code is amended to read as follows:

Chapter 10 Animals

Sec. 10-1. Purpose.

The purpose of this chapter is to promote the public health, safety, and general welfare of the citizens of the city and to ensure the humane treatment of animals by regulating the care and control of animals within the city.

Sec. 10-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Animal* means any live creature, both domestic and wild, except humans. The term “animal” includes, but is not limited to, mammals, fish, birds (e.g., poultry and foul), reptiles, amphibians, and arthropods (e.g., bees and venomous insects).

*Animal nuisance* means any nuisance arising out of the keeping, maintaining or owning of, or failure to exercise sufficient control of, any animal.

*Animal shelter* means any facility operated by the city or the county humane society for the temporary care, confinement, and detention of animals and for the humane killing and other disposition of animals. The term “animal shelter” shall also include any private facility approved by the chief of police to impound, confine, detain, care for, or dispatch any animal.

*At large* means an animal is off the premises of the owner, and not under the immediate control of a person physically capable of restraining the animal.

*Cruelty* means any act or omission whereby unjustifiable physical pain, suffering or death of an animal is caused or permitted, including failure to provide proper drink, air, space, shelter or protection from the elements, a sanitary and safe living environment, veterinary care or nutritious food in sufficient quantity. In the case of activities where physical pain is necessarily caused, such as animal training and hunting, the term “cruelty” shall mean a failure to employ the most humane method reasonably available.

*Domestic pet* includes dogs, cats, or animals customarily kept or housed inside dwellings as household pets.

*Exotic animal* means any live monkey, alligator, crocodile, caiman, raccoon, skunk, fox, bear, sea mammal, venomous snake, member of the feline species other than domestic cat, member of the
canine species other than domestic dog, or any other animal that would require a standard of care and control greater than that required for customary household pets sold by commercial pet shops.

*Impoundment* means taking into custody of an animal by any police officer or other authorized representative.

*Nuisance animals* means any animal that unreasonably annoys humans, endangers the life or health of persons or other animals, or substantially interferes with the rights of citizens, other than their owners, to the enjoyment of life or property.

*Owner* means any person having temporary or permanent custody of, sheltering or having charge of, or harboring, exercising control over, or having property rights to any animal covered by this chapter. An animal shall be deemed to be harbored if it is fed or sheltered for three or more consecutive days.

*Off Leash Area (OLA)* means any area designated by a governing body within which dogs, under the effective control of their owners, keepers or guardians, may be off leash.

**Sec. 10-3 Penalties.**

Any person who violates this chapter shall be guilty of a municipal civil infraction.

**Sec. 10-4. Enforcement.**

The city police officers, or others specifically designated by the City Manager, shall be enforcement officials for this chapter.

**Sec. 10-5. Permitted Animals.**

Domestic pets are permitted. Rabbits are limited to four per property. Poultry and foul are limited to two animals per property.

**Sec. 10-6. Prohibited Animals.**

No person shall own, possess, keep, harbor, or have custody of:

1. Cattle, cows, horses, sheep, swine, goats, or other livestock, including bees in areas of the city not zoned for agricultural land uses.
2. Male poultry.
3. Wild animals’ contrary to state or federal law or regulations.
4. Venomous insects or snakes,
5. Exotic animals.

**Sec. 10-7. Caring for Animals.**

1. It shall be unlawful for the owner of any animal to refuse or fail to provide such animals with sufficient wholesome and nutritious food, potable water, veterinary care when needed to prevent suffering, humane care and treatment.
2. It shall be unlawful for the owner of any animal to unnecessarily expose any animal to hot, stormy, cold or inclement weather.
3. It shall be unlawful for the owner of any animal to willfully abandon such animal on any street, road, highway or public place, or on private property when not in the care of another person.
Sec. 10-8. Sanitation.

1. No owner of any animal shall cause or allow such animal to soil, defile or defecate on any public property or upon any street, sidewalk, public way, play area or private property other than that of the owner, unless such owner shall immediately remove and dispose of all feces deposited by such animal in any manner permitted by law.

2. No person owning, harboring or keeping an animal within the city shall permit any waste matter from the animal to collect and remain on the property of the owner, or on the property of others so as to cause or create an unhealthy, unsanitary, dangerous or offensive living condition on the owner’s property, or to abutting property owners.


1. No person shall place any container on or near the ground, which may contain food or nourishment to any wild animal.

2. No person shall intentionally place any food on the ground for birds.

3. No person shall intentionally place food for the feeding of seagulls, pigeons and the like.

Sec. 10-10. Cruelty to Animals.

1. It shall be unlawful for any person to willfully or maliciously strike, beat, abuse, or intentionally run down with a motorized vehicle any animal, or otherwise engage in any act to cause or inflict unnecessary pain, injury, suffering or death to such animal; except that reasonable force may be used to drive away vicious or trespassing animals.

2. No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal or bird, except for substances used in the normal course of business for pest control.

3. No person, except a public officer acting in his official capacity, shall injure, kill or capture any wild bird or animal, or molest or disturb any wild bird’s nest or its contents.

4. Nuisance animals shall only be dealt with by the Michigan Department of Natural Resources current policy for Wildlife Damage and Nuisance Control.


1. All dogs shall be restrained and confined in accordance with Public Act 399 of 1919.

2. Any dog in an off-leash area (OLA) may be permitted to run at large within the boundaries of such areas as may, from time to time, be designated by resolution of the city council as off-lease areas, subject to the following:
   a. The behavior of dogs permitted to run at large in an OLA, and the behavior of the owners thereof, shall conform to all other applicable provisions of this chapter, and to such rules and regulations as may be established by the city council.
   b. Such dogs shall at all times while in the OLA be under reasonable voice control of their owners.
   c. The owners of such dogs shall at all times carry with them, within the OLA, a leash or chain of sufficient tensile strength to restrain such dogs if necessary.
   d. No owner shall have more than three dogs within an OLA at any one time.
Sec. 10-12. Barking and Other Loud Animal Noises Prohibited.

No person shall harbor or keep any dog, cat, or other animal, which by loud or frequent habitual barking, meowing, yelping, howling, cackling, crowing or other nuisance noises which shall cause a serious annoyance in the neighborhood, or to people passing to and from upon the streets and sidewalks, or public highways.

Sec. 10-14. Kennels Prohibited in Residential Areas.

No license of dog or cat kennels, or catteries shall be permitted in residential areas.

Sec. 10-15. Return of Animal to Owner.

If the name of the owner of an animal found at large is known or can be obtained with reasonable dispatch, the officer shall return the animal to the residential address of the owner. If there is no one present, the officer shall leave written notice of whom the owner must contact to reclaim the animal. The officer shall then remove the animal to the nearest animal shelter or facility that will accept the animal.


This Ordinance was enacted by the City Council of the City of Houghton, Houghton County, Michigan on the ____ day of _________, 2023.

This Ordinance shall take effect 10 days from the date of adoption. Effective the _____ day of ___________, 2023.

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Brian Irizarry, Mayor            Ann Vollrath, Clerk